

**ENTERED**

September 20, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

GIOVANI ALVARO PEREZ-AGUILAR,  
Petitioner,

V.

UNITED STATES OF AMERICA,  
Respondent.

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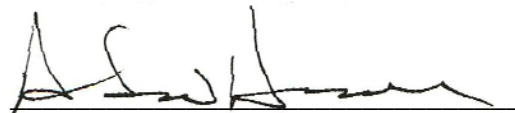
CIVIL ACTION NO. B-16-067  
CRIMINAL NO. B-14-541-1

**ORDER**

Pending is the Magistrate Judge's June 29, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 5] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation [Doc. No. 5] is hereby adopted. Therefore, it is ordered that Petitioner Giovanni Alvaro Perez-Aguilar's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless. The Court hereby denies the Petitioner's Certificate of Appealability as well.

Signed this 20<sup>th</sup> day of September, 2016.



Andrew S. Hanen  
United States District Judge